

General Orders
79

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CONTENTS.

PART I.—Notifications by the Dewan to His Highness the Maharaja of Mysore.

PART II.—Notifications by the Government of India. Resident in Mysore. Chief Judge; Survey and Inam Superintendent; Comptroller; Public Works Officers; Mysore State Railway; Amrut Mahal Department; Inspector General of Registration; Medical Officers; Anche Bakshi; District and Sessions Judges; Sub-Judges; Deputy Commissioners of Districts; Forest Officers; President,

Bangalore Town Municipality. Season Reports; Mortuary and Meteorological Statements; Postal Notices. Civil and Military Station Notifications, &c.

PART III.—Acts and Regulations passed by His Highness the Maharaja. Nil.

PART IV.—Official Papers.—Abstract of Season or Intermediate Reports.

PART I.

Notifications by the Dewan to His Highness the Maharaja of Mysore.

GENERAL.

NOTIFICATIONS.

The 27th February 1885.

No. 229.—Under Section 40 of the Excise Act X of 1871, the Government of His Highness the Maharaja hereby frame the following rules for the guidance of all concerned.

I. No ryot or other person shall cultivate hemp in the Territories of Mysore without a patta or license (*vide* Form A *appended) which may be obtained free from the Amildar of the Taluk in which such cultivation is intended to be carried on.

II. No ganja shall be sold to any person other than the farmer appointed by Government or his recognized agent without the special permission of the Deputy Commissioner or Sub-Division Officer as the case may be. When ganja is sold to the farmer, he shall obtain a pass from the Deputy Commissioner or Sub-Division Officer for the removal of the drug from the place of sale to his dépôt. The contract to be entered into with the farmer will be in the appended *Form B, by the terms of which he shall be bound to abide.

*III. When any cultivator of ganja or any person legally in possession of the same desires to export it beyond the Territories of Mysore, he shall apply to the Deputy Commissioner or Sub-Division Officer who will issue a special pass for the purpose, free of charge, in communication with the Collector of the District to which the export is to be made.

IV. The Deputy Commissioner or Sub-Division Officer may permit the farmer to import ganja from beyond the Territories of Mysore, under passes to be issued by him in communication with the authorities of the District from which the article is imported.

V. The Excise officers appointed under Act X of 1871 may, under such rules as may be passed by Government from time to time, take such measures as may be necessary to ascertain and check the quantity of ganja in the possession of licensed cultivators of hemp. The said cultivators shall be allowed to retain only 14 lbs. of ganja for home consumption.

VI. Licenses for the retail vend of ganja shall be issued by the Deputy Commissioner or Sub-Division Officer in such form as may be prescribed by Government from time to time. No fee shall be levied for such license except in the Towns of Bangalore and Mysore where a fee of three rupees and one rupee per mensem respectively shall be charged for each license.

VII. All articles confiscated under the Excise Act X of 1871 shall be made over to the Magistrate, or such other officer as the Deputy Commissioner or Sub-Division Officer shall appoint to receive them. All intoxicating drugs liable to confiscation and which have been confiscated according to the provisions of the Act, may be destroyed or may be sold to the Government Farmer at such reasonable rates as may be approved of by the Deputy Commissioner or Sub-Division Officer.

VIII. The proceeds of the sale of such confiscated articles may be credited to Government in whole or in part as may be directed by the Magistrate dealing with the case, who may award the whole or any part thereof to the informer or Excise officer at whose instance conviction and confiscation followed.

IX. The wholesale and retail prices at which ganja and majum shall be sold are hereby fixed as under :—

		In the Towns of Bangalore and Mysore. Prices per Seer.		In the rest of the Province. Prices per Seer.	
		Annas.		Annas.	
Ganja	Wholesale ..	..	10	..	9
	Retail ..	..	13	..	12
Majum	Wholesale ..	..	4	..	4
	Retail ..	..	6	..	6

Form C—Pass for import of ganja.
Form D—Pass for export of ganja.
Form E—Pass for transport of ganja.
Form F—Renter's pass for ganja sent to depôts.
Form G—Pass for removal of ganja from depôts to retail shops.

Form H—Wholesale License.
Form I—Retail License.
Form J—Depôt Ledger Book.
Forms K and L—Account of daily sales of ganja and majum at wholesale depôts.
Form M—Retail shop account book.

X. The forms of licenses, accounts, passes, &c. hereunto *appended as noted in the margin, are hereby prescribed for adoption.

XI. All persons not legally authorized to have ganja in their possession shall declare the quantity in their possession to the Amildar of the Taluk in which they reside and obtain a permit from that officer to retain it. If the drug is fit for human consumption, they shall, within 3 months from 1st April 1885, sell it to the Government Ganja Contractor, or export it beyond the Territories of Mysore under cover of a pass under Rule III above. If unfit for human consumption, it shall be destroyed by order of the Deputy Commissioner or Sub-Division Officer.

XII. These rules shall come into effect from 1st April 1885.

The 10th March 1885.

No. 235.—Under the provisions of Section 6 of the Land Acquisition Act X of 1870, it is hereby declared that the premises described in the schedule annexed are needed for a public purpose, i. e. for forming a Public Park behind the Jaganmohan Palace in Mysore :—

District, Taluk, Locality.	Description of Premises.	Names of Owners.	Boundaries.	Extent.
Mysore District, Mysore Taluk, Mysore Town.	1 Tiled house to the west of the road behind Jaganmohan Mahal in Devarajmohalla.	Doddaiya, Potter.	East—Public road. South—Houses of Doddaramalinga and Jogaiya's houses already bought by the Municipality. West—Female Hospital road above the Pindaris' houses. North—Jogaiya's house purchased by the Municipality.	240 x 40 sq. ft.
	Do	Murad Sahib.	East—Public road. West & South—Municipal waste land and Female Hospital road. North—Venkata Ramaiya's house.	76 x 76 sq. ft.

* Not published in this issue.

The 13th March 1885.

No. 238.—It is hereby notified that the undermentioned timber remaining after the last auction sale at the Chikmagalur Depôt will be sold on the 10th and 11th April next by the Deputy Commissioner of the Kadur District or other officer deputed for that purpose.

Reserved.	Unreserved.	Total.
56	64	120 (more or less.)

Terms of Sale.—Those notified in the *Mysore Gazette* No. 20 of the 12th June 1873 and will be read out at the time of sale.

The 18th March 1885.

No. 239.—It is hereby notified for general information that the following prices of opium are sanctioned, in supersession of those authorized by Proceedings of the 27th March 1880, for adoption throughout the Province of Mysore with effect from 1st April 1885.

Price at which Government shall sell opium to vendors ..	6½ Annas per Tola or Rs. 9—6—0 per Seer of 24 Tolas.
Price at which vendor shall sell opium to the public ..	7½ Annas per Tola or Rs. 11—4—0 per Seer of 24 Tolas.

2. The appended forms of licenses for medical practitioners and for wholesale and retail vendors and of account and permit books to be kept by vendors are hereby prescribed for adoption.

3. No fee shall be leviable for licenses issued to medical practitioners. A fee of Rs. 9 per quarter shall be levied for each wholesale and retail vendors' license in the Towns of Bangalore, Mysore, Shimoga and Chikmagalur; and in all other stations no fee shall be charged for the vendors' license except where the sales in any shop exceed Rs. 6 per month; in which case a small fee of 8 annas per mensem shall be levied.

OPIMUM FORM I.

Special License to Medical Practitioner under Opium Rule VII framed under Opium Act I of 1878.

I. Special license granted to

following the profession of
in the District of
that the said

at
for the sale of opium by retail, on the condition
shall not have in his possession

at one time more than one seer of opium and that such opium shall be procured from the Deputy Commissioner's office, or a licensed vendor and shall be used *bona fide* as medicine or in medicinal preparations or prescriptions. This license shall continue in force till recalled or cancelled by competent authority, or resigned in writing by the holder to the signatory thereof.

II. The opium locally obtained by the holder of this license shall be covered by a "Pass" in the prescribed form (supplied on application through the Head Supervisor, Abkari Department, on payment). The medical practitioner shall satisfy himself that the entry of the quantity purchased from the Government Treasury or authorized vendor, &c., has been duly booked and attested and covers the quantity actually indented for by him.

III. The holder of this license shall keep a true and correct account in the prescribed form (which shall be furnished on application and payment to the Head Supervisor, Abkari Department), and it shall be produced whenever required by the officers of Excise or of other Departments authorized to demand the same. Turkey opium and other admixtures of opium (liquids or solids), when essentially required, can be obtained from Europe or elsewhere, provided the opium thus represented be separately brought to book monthly in a memo at the foot of the account under advertence and duly accounted for there-after separately from that locally purchased from Government or vendors in the said account book.

IV. On the infringement of any of the above articles or any conditions imposed by Opium Act I of 1878 or by the rules framed thereunder, the holder of this license renders himself liable to be taken in the manner required by law before a Magistrate having jurisdiction by any of the officers of Excise, or other Departments authorized on this behalf and on conviction to be punished to the extent prescribed in Section 9 of Opium Act I of 1878, viz. with imprisonment which may extend to one year, or with fine which may extend to Rs. 1,000, or with both, and in default of payment of the fine so imposed, with imprisonment which may extend to 6 months; such imprisonment for default of payment of fine being in excess of any other imprisonment to which he may have been sentenced. Further this license and any other license or licenses that the holder may have obtained for the sale of opium shall be forfeited.

Noted.

Superintendent of Police,
District.

Magistrate & Dy. Commissioner,
District.

Note (A).—A counterpart of this license will be signed by the license-holder and deposited in the Deputy Commissioner's office under the conditions laid down in Section 25 of the Opium Act I of 1878.

FORM II.

License for the Sale of Opium by Wholesale and Retail, granted under the Rules Nos. XIII and XIV of the Rules framed under the provisions of Opium Act I of 1878.

1. Registered No.
2. Name of License-Holder.
3. Name of Vendor or Shop-man.

4. Permanent Locality.

{	Place.
{	Name of Street.
{	Door No.

Names of Villages.

Miles from Permanent Shop.

5. Details of Itinerating Localities.

{	1.
{	2.
{	3.
{	4.
{	5.

Be it known that I

, Deputy Commissioner and

District Magistrate of _____, under Sections XIII and XIV of the Mysore Opium Rules published under Notification No. _____ dated the _____ 1884 and framed under the provisions of Opium Act I of 1878, do hereby grant this license for the wholesale and retail vend of opium and its preparations to _____, residing in the Town or Village of _____ in the Taluk of _____ in the Mysore Province, on the following conditions and restrictions, the infringement of any of which shall render the guilty parties liable to the penalties involved for a breach of these License Rules, or of the Opium Laws to which such breach may be applicable on trial before a Magistrate.

I. That the license shall not be transferable by sale, gift, mortgage or otherwise, and that no persons except such as are named herein shall have power to act under it.

II. That the vendor shall equally with the license-holder be responsible for breach of any of the conditions of this license.

III. That all opium shall be purchased by the license-holder or vendor from the Government Treasury or from any other licensed-vendor only, provided it be opium that had been purchased from Government and none other; and the purchase in either case be covered by a pass in the prescribed form (Serial No. 3, to be supplied on application by the Head Supervisor, Government Distillery, on payment) for the quantity purchased.

IV. That the license-holder or vendor shall pay a fee of rupees per quarter for the time this license is in force and that the same shall be paid quarterly in advance, *viz.*, on the 1st of April, July, October 188 and January 188 , and in default shall be dealt with as laid down in Section 23, Act I of 1878 (Opium Act) or Section 25 of the said Act by realizing the fee from the surety given by the shop-keeper for the fulfilment of his engagement. (See Note E under Rule 21 below.)

V. That all sales of opium shall be made by the license-holder or vendor in the said shop and not elsewhere under any pretext whatsoever, except where this license held as an "Itinerating License" when the sales shall be restricted to the circle for which it may have been granted as prescribed at the head of this license; while, in other respects, the conditions and restrictions laid down in this license, and the Mysore Opium Rules and Act shall be strictly complied with by the "Itinerant" holding this license. The Itinerating license-holders shall take the license, permit or pass and shop account books first to the Amil of the place, if it be a Taluk Kasaba, and also to the Police Station officer. At all other places to the Village Patel. These officers on satisfying themselves of the identity of the party being the same as named in the license and by reference to his books, &c., shall *forthwith* permit the holder or vendor named therein, to sell the same and take steps to see that the rules are not infringed.

VI. That the whole of the stock on hand shall be always kept by the license-holder or vendor in the shop. No items of food or drink shall be vended in any retail opium shop. The retail shop shall be *bonâ fide* a drug shop only in large towns, but in outlying places the miscellaneous store or shop, where grain, &c., is sold to the villagers can also sell drugs under license.

VII. That all pure opium *bonâ fide* sold, or offered, or retained for sale as such, shall not be adulterated, but sold, or offered, or retained for sale in the exact condition in which it was purchased from the Government Treasury by the license-holder or vendor, saving where the outer coating has become dirty, &c., when such dirt, &c., shall be duly removed ere such parts are sold, or offered, or retained for consumption by the public. The retail price of opium to the public throughout the Province shall be for the present Rs. 11—4—0 per seer of 24 tolas. That any preparations or admixtures of opium, other than pure opium, shall be kept duly labelled, and offered or sold *bonâ fide* as such and duly accounted for in the shop accounts. Such wastage derived from the coating, &c., on opium above alluded to can be utilized for the preparation of "Maddat" which can be sold at the bar but not consumed on the premises under any pretext whatever, nor sold to any one publicly or privately keeping a "Maddat-kbana," or any institutions under any other name whatsoever, to smoke or consume opium or ganja or any of the preparations thereof, either in behalf of the holders or vendors of this license, or in his own, or on behalf of other parties; as the consumption of drugs thus is strictly interdicted under the Mysore Opium and Ganja Rules and a breach thereof shall entail the penalties prescribed being rigidly enforced on all directly or indirectly concerned therein, by the Magistracy. Maddat purchased by private individuals may be consumed by themselves, but not *sold to others*.

VIII. The scales and weights used by the license-holder or vendor shall be true and accurate, and the latter bear the Government stamp with the quantity represented by such weight duly impressed thereon, while the use of temporary weights, wax and other such fixtures, to adjust the scales, shall be and the same are hereby strictly interdicted. Stamped standard weights, and scales only, shall be used and will be issued on application to the Head Supervisor, Central Distillery, with cash remitted through the Amildar of the Taluk, by the license-holder.

IX. That the license-holder or vendor shall not receive any wearing apparel, or any other articles whatsoever, in barter or pledge for opium sold. Payments for opium shall be made in ready money only, and the said license-holder or vendor shall not knowingly sell or give any opium to any person under 16 years of age. The quantity that can be sold by retail shall not exceed 3 tolas. Any larger quantity sold shall be considered as a wholesale sale (*Vide* Section I, Clause 6 of the Opium Rules, dated 4th February 1880, No. 64.) The holders of this license or the vendors named therein are hereby empowered to vend by wholesale in the three following cases and under the conditions set forth below:—

- (1.) Under the special orders of the Deputy Commissioner, or any Magistrate having local jurisdiction in the place where applicant resides.

- (2.) To another licensed opium vendor, but in quantities of not less than one seer of 24 tolas weight.
- (3.) To any medical practitioner licensed under the Mysore Opium Rules, but not more than one seer of 24 tolas weight.
- (4.) In the first case the number and date of the Magistrate's order shall be quoted, and the said order shall be endorsed as having been complied with under the date and signature of the license-holder or vendor. In the second and third cases the quantity sold shall be entered in the Government pass or permit books to be produced by the purchasing license-vendors and duly accounted for in the retail shop books of both selling and purchasing vendors, &c., as laid down in License Rule No. XI. These sales shall be made for not more than eight annas *over* the rate at which the opium was purchased from the Government when the shop is at Treasury head-quarters, and one rupee at all other places; and the prices so charged shall be duly entered in the said permit books.

X. That the license-holder or vendor's shop shall be an open "Dukán" and no windows shall be allowed to the rear or ends of the building. That the whole shop shall be so constructed that all persons inside shall be clearly seen through the door or windows by any one passing to and fro in the street, and that no second room shall be allowed therein. The use of boxes, screens, &c., to conceal the scales and weights, &c., from the eye of the public shall be, and the same is hereby, interdicted, while notices pointing out a breach of these and all other rules of Government issued through the "Excise Officer" shall be at once complied with and the course prescribed therein acted up to without fail by both the license-holders and vendors. A disregard of such notice shall itself be considered to be a breach of these rules when the request made therein is good and valid and on reasonable grounds. An explanation for breaches of these rules shall be furnished to the Excise officer by the license-holder or vendor answerable therefor, in writing, attested by him and one or two witnesses. If the party cannot himself write, the explanation shall be taken down in writing by the "Excise Officer" in the form of query and answer, and read over to the party at fault and the witnesses in their own vernaculars, and duly attested by them. The Excise officer shall then initial and date the same and submit the papers to the Head Supervisor, his immediate superior, or the Magistrate as the case may be, for orders.

XI. That all purchases of opium made by the license-holder or vendor shall be covered by a "Pass" in the prescribed form (Serial No. 3 to be furnished on application to the Head Supervisor, Government Distillery, on payment) to be made as for account book, see Rule VIII, and duly entered therein, and each sale shall be dated and attested by the officer of Government or the vendor authorized to make such sales to another vendor or medical practitioner in such "Pass." The selling and purchasing vendors shall be held jointly and severally responsible that the quantity covered by such entries are *bona fide* sales and duly attested by the selling vendor. The quantity so sold shall appear opposite the date the sale was effected in the vendor's account, (Serial No. 4 to be furnished on application to the Head Supervisor, Government Distillery, on payment) which shall be in the form prescribed, quoting the number of the license of the purchasing shop-keeper, &c.

XII. That the license-holder or vendor shall not open his shop, or make sales therein before 6 A. M. and that he shall not keep it open, or make sales therein after 9 P. M., except on special permits in cases of Native festivals, &c., to be freely granted by the Magistracy; and that he shall not harbour any person therein during the night.

XIII. That the license-holder or vendor shall not permit prostitutes nor persons of notoriously bad character to resort to his shop or remain therein; that he shall prevent gaming and disorderly conduct therein; and that he shall give information to the nearest Magistrate or Police officer of any suspected person who may resort to his shop.

XIV. That the license-holder or vendor shall not sell nor give opium nor any admixture or preparation of opium, either directly or indirectly, to any European, non-commissioned or warrant officer, or private soldier, or to any European, or East Indian woman connected with or related to men of those classes.

XV. That the license-holder or vendor shall not permit the consumption of opium, or any admixture or preparation of opium, in the shop or on the premises, under any pretext whatever.

85

XVI. That the license-holder or vendor shall have constantly fixed up, at the entrance of his shop, a sign-board bearing the following inscription, in legible characters in the vernacular language, painted thereon, thus :—

License No. 16.

B. A. Timmaiya, License-holder.

"Licensed to sell Opium."

XVII. That if the license-holder or vendor buy less than seers, which is the quantity estimated to be sold by retail in each month, he shall, if required, explain the reason of the falling off to the Deputy Commissioner (through the Excise officer) and failing the explanation being reasonable and satisfactory, that officer shall deal with the vendor departmentally by fine or cancelment of license or direct his prosecution before a Magistrate for breach of this license rule, if the circumstance of the case renders this course advisable in the interests of Government.

XVIII. That the license-holder or vendor shall keep up daily an account which shall be true and correct and in the prescribed form (to be furnished to him on application to the Head Supervisor, Government Distillery, on payment); the instructions contained wherein shall be strictly observed by the said license-holder. Preparations of opium shall be separately accounted for. The quantity of pure opium taken for these preparations shall be duly booked in the column provided therefor in the regular opium account, and the quantity of the preparations made therefrom and the sales shall appear in the particular account opened for each preparation separately in the shop account book.

XIX. That the license-holder or vendor shall immediately produce his license, pass book and accounts for inspection on the demand of any officer of any of the Departments of Excise, Police, Customs, Municipal, Opium, Revenue or Judicial Departments superior in rank to a peon or constable, and that he shall not prevent any such officer of whatever rank from entering his shop at any hour of the day or night.

XX. This license shall have effect from to , unless a special order recalling it has been issued by the Deputy Commissioner.

XXI. This license may be recalled by the Deputy Commissioner under the following conditions :—

- (a) for default of punctual payment of the fee stipulated to be paid in Rule IV, after trial of the procedure laid down therein ;
- (b) for violation of any of the conditions specified in this license ;
- (c) if the holder of this license be convicted of a breach of the peace or any other criminal offence.

Note A.—Should the license be recalled for any of these causes, the license-holder shall have no claim to any compensation whatever, or to any refund of any fee or instalment thereof already paid. But it shall be in the discretion of the Deputy Commissioner to make such compensation or refund, should he consider it necessary or advisable to do so.

Note B.—Should the Deputy Commissioner desire to recall this license before the expiry of the period for which it has been granted, for any cause other than those herein-before specified, he shall give fifteen days' previous notice to the license-holder or vendor and remit a sum equal to the fee for fifteen days, or, if notice be not given, shall make such further compensation, in default of notice, as the Government may direct.

Note C.—This license may be surrendered by the license-holder on his giving one month's notice to the Deputy Commissioner and paying such fine, not exceeding the amount of the fee for six months, or the loss caused to Government by the failure to carry out any condition imposed, as the Deputy Commissioner may adjudge.

Note D.—Should, the Deputy Commissioner be satisfied that the reason for surrendering the license is adequate, he may, with the sanction of the Dewan, remit the fine.

Note E.—Counterpart of this license will be signed by the license-holder and vendors and deposited in the office of the Deputy Commissioner under the conditions laid down in Section 25 of the Opium Act I of 1878.

XXII. On the infringement of any of the above articles or of any of the conditions imposed by the Opium Act of 1878, or by the Rules made thereunder, the license-holder or vendor, or both as the case may be, renders himself liable to be taken before a Magistrate (in the manner required by law) having jurisdiction, by any of the officers named in Section XIX of this license and tried, convicted and punished to the extent prescribed in Section 9 of Opium Act I of 1878, viz., with imprisonment which may extend to one year, or with fine which may extend to Rs. 1,000, or with both, and in default of payment of such fine so imposed, with imprisonment which may extend to six months; such imprisonment being in excess of any other imprisonment to which he may have been sentenced. Further this license and any other license or licenses that the holder may have obtained for the sale of opium or other drugs shall be forfeited if the convicting Magistrate or the Deputy Commissioner shall deem fit.

Noted. <i>Superintendent of Police.</i> DATED 188 .	DATED	188 .	Deputy Commissioner, <i>District.</i>
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Serial No. 3.

Opium Account of Shop No.

Door No.

in the

Taluk

District

Name of License-Holder

1	2	3		4	5	6	7	8	9		10
Year, Month and Date.	Quantity of Opium in store from yesterday.	Quantity of Opium received this day and whence received.		Total quantity to be accounted for.	Quantity used in the preparation of.	Quantity sold this day.	Total Expenditure col. 5 & 6 added together.	Quantity left in store col. 7 deducted from col. 4.	Rate.		Remarks.
		District Treasury.	From another.						Treasury.	Retail.	
	Seer. Tola.	Seer.	Seer.	Seer. Tola.	Seer. Tola.	Seer. Tola.	Seer. Tola.	Seer. Tola.	Seer.	Seer.	
									R.	A.	R. A.
Total.											

Here Signature of the License-Holder or Vendor.

- I. This shop account must be kept "true and correct" in the form prescribed and without errors (*vide* example printed and appended to book.) If errors occur, they might be such as to render the account false and thereby entail the License Rules being enforced on shop-keeper. This account book should be kept always in the shop and produced to the Abkari and other officers authorized to demand the same with the treasury permit or pass book and license.

- II. Column 7 has been added to facilitate check and render the account clear to the license-vendor.
- III. Column 9, data needed to furnish statistics when required by Government.
- IV. In the column of Remarks, if opium be sold to chemists and druggists on "Medical Practitioner's license" or on Magistrate's special passes, the name of purchaser and quantity sold should be specified for each sale effected, opposite the date concerned, with the number of the license or Magistrate's authority therefor.
- V. The license-vendor should check the entries daily and attest this account after being totalled up monthly as indicated above.
- VI. In column V the opium used for Maddat, &c., should be noted, but separately accounted for in this form on another page.

Serial No. 4.

GOVERNMENT PASS BOOK FOR OPIUM.

Permit to pass the following Opium issued from the Government Treasury Store to Shop
No. Door No. in the Village of
in the District of

Year, Month and Date.	Shop No.	Locality.	Name of License-holder.	Quantity and Value of Opium purchased.			Treasury Accountant's initials.	Treasury Officer's Signature.	Remarks.
				Seers.	Rs.	A. P.			
Total.....									

The 20th March 1885.

No. 240.—It is hereby notified for public information that the undermentioned jodi village, which has been duly attached in satisfaction of the arrears of revenue due to Government (as shown in the subjoined statement) by the said jodidars, will be sold by public auction at the place and on the date mentioned in the annexed statement. The sale will commence at 11 A. M. on the date specified, and the village will be knocked down to the highest bidder without reserve.

2. Provided that when a village is divided into separate recognized vrittis, the Deputy Commissioner may at his option, instead of selling the village as a whole, sell each vritti separately.

3. The purchaser will be required to deposit 25 per cent of the purchase money at the time of sale, and where the remainder of the purchase money may not be paid within fifteen days from the day of sale, the money so deposited shall be liable to forfeiture.

4. When such deposit shall not be made, nor the remaining purchase money paid up, the lands shall be re-sold at the expense and risk of the first purchaser.

5. Persons bidding at the sale may be required to state whether they bid on their own account or as agents, and in the latter case to deposit a written authority signed by their principals, otherwise their bids may be rejected.

6. The sale shall be stayed, if the defaulter, or any other person acting on his behalf, or claiming an interest in the land, tenders the full amount of the arrears of revenue with the interest and other charges, provided such tender be made before sunset on the day previous to that appointed for the sale.

7. The sale of the property will not become absolute until the sale has been confirmed by the Dewan.

8. Purchasers having completed the payment of the purchase money will, as soon as the sale has been confirmed by the Dewan, be placed in immediate possession and the village will be registered in the name of the purchaser, and a certificate of sale signed and sealed by the Deputy Commissioner will be granted to him. It is to be distinctly understood that the Government are not responsible for errors of description and in estimated extent.

9. Provided parties deeming themselves aggrieved by the sale shall be at liberty to appeal to the Dewan within 30 days from the day of sale, and the purchase shall be conditional on the final order in such appeal.

District.	Taluk.	Hobli.	Village.	Name of Jodidar.	Estimated Extent.	Estimated Gross Rental or Periz.	Quit-Rent payable annually to Government.	Arrears of Government Revenue for which Village is to be sold.	Date of Sale, &c.
Kadur.	Belur.	Sanivarsante.	Singapur	Naranabhatta and 12 others.	A. G. Rs.	A. P. Rs.	A. P. Rs.	A. P.	29th April 1885, at the village before the Amildar.
					265 24	682 8 0	170 1 0	146 10 5	

The 21st March 1885.

No. 241.—Brigade-Surgeon J. Houston, M. D., delivered over, and Brigade-Surgeon J. Henderson, M. D., received, charge of the Lunatic Asylum, the Leper Asylum, Medical Stores, Maternity, the Government Museum and the office and duties of Surgeon to the Mysore Government, on the afternoon of the 21st March 1885.

The 21st March 1885.

Camp No. 307.—Mr. J. T. Vanderlowen, Munsiff of Chikballapur, is transferred to Chikmagalur.

Camp No. 311.—Mr. F. B. Clerk, Assistant Superintendent, Mysore Revenue Survey, is granted privilege leave of absence on medical certificate for three months from the 20th March 1885 or date of departure.

The 23rd March 1885.

Camp No. 316.—Mr. B. Narasimmaiengar, Munsiff and 2nd Class Magistrate of Sagar, is, under the proviso to Section 335 of the Code of Criminal Procedure, directed to take down the evidence of complainants and witnesses with his own hand in the English language.

The 24th March 1885.

No. 242.—Whereas, by order of His Highness the Maharaja's Government No. 3662-70—98. dated Bangalore, the 2nd August 1881, the settlement of coffee lands in Mysore on an acreage assessment, in accordance with the Land Revenue laws, in force, was sanctioned, and whereas such settlement has now been nearly completed, His Highness the Maharaja's Government hereby notify for the information of all concerned as follows:—

1stly. The halat duty on coffee and cardamom is abolished with effect from the date of the aforesaid settlement.

2ndly. In accordance with the laws in force, no additional land revenue is leviable by reason of any produce whatsoever raised upon the lands to which the aforesaid settlement has been extended.

3rdly. All jungle and petty izardars, including toddy and other contractors, are hereby prohibited from entering upon the lands to which the aforesaid settlement has been extended, without the consent of the occupants thereof.

4thly. Toddy being a Government monopoly, no one except the Government contractor has, under the law in force, authority to draw it, for purposes of sale, from bagani and other trees standing upon lands to which the aforesaid settlement has been extended. The holders of such lands are hereby permitted to draw toddy from bagani or other trees for domestic purposes such as the making of bread, &c.

5thly (a.) The right to the seven descriptions of trees marginally noted, growing or to grow on the lands to which the aforesaid settlement has been extended, and which are charged with the full acreage assessment, whether fixed in perpetuity or for 30 years, shall vest in Government. But the holders of the aforesaid lands will be allowed to use, free of charge, the timber of the aforesaid trees, except sandal, for their own *bonâ fide* purposes.

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|--------------|----------------|
| 1. Honne. | 5. Teak. |
| 2. Lac tree. | 6. Blackwood. |
| 3. Nandi. | 7. Sandalwood. |
| 4. Poon. | |

(b.) The holders of such of the aforesaid lands as may pay the full acreage assessment, whether fixed in perpetuity or for 30 years, will however be permitted to purchase the Government right to the aforesaid trees, except sandal, upon a fair and moderate valuation of their present value, (the purchase money being payable in such instalments as may appear to the Government to be reasonable). If the Government right to trees is not purchased by the holder as above provided for, a seigniorage will be levied by Government upon all aforesaid trees, (except sandal) which may be felled otherwise than for the *bonâ fide* private purposes of the holder.

(c.) No sandal trees growing or to grow upon the aforesaid lands shall be felled, used or disposed of, except by or under the orders of Government.

6thly. The Government right to the nine descriptions of reserved trees specified in the margin, growing or to grow on lands held on *grass* assessment, is reserved to Government, as such tenure conveys a right merely to pasturage and growth of firewood. Such lands generally contain heavy forests. Until the holder of lands held on *grass* assessment acquires this right by paying the full value of

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| 1. Honne. | 6. Blackwood. |
| 2. Lac tree. | 7. Sandalwood. |
| 3. Nandi. | 8. Wild Jack. |
| 4. Poon. | 9. Karachi. |
| 5. Teak. | |

such trees, the existing prohibitions against the felling of reserved trees must continue to apply to such trees growing on such lands.

7thly. The right in or to precious stones, gold and other minerals or coal, or stone or rock containing or supposed to contain precious stones, gold or other minerals or coal, known to exist or which may at any time hereafter be discovered on or under any lands to which the aforesaid settlement applies is reserved to the Government, subject to the following conditions, namely : —

- (a.) That if, in exercise of any of the powers reserved to Government, the Government or its officers enter upon any land which is charged with the full acreage assessment and work mines therein, the holder of such land shall be entitled to full compensation for all damage caused by Government or its officers ; and
- (b.) That the Government shall always concede to the holder of any such land which is charged with the full acreage assessment fixed in perpetuity, upon the terms of the Dewan's Notification dated 26th July 1881, the preferential right to work for and obtain precious stones, gold or other minerals or coal, on or under the aforesaid lands, subject to the payment of a royalty of not more than 5 per cent on the gross proceeds of such gold or other minerals or coal and of not more than 10 per cent on the saleable value of such precious stones as may be obtained or found on or under the said land.

8thly. But notwithstanding anything contained in the last preceding clause, no royalty shall be leviable on limestone, granite and ordinary minerals, other than metals or coal or precious stones, which may be found on or under any land, to which the aforesaid settlement applies, when applied to the *bonâ fide* private use of the holder and not removed for purposes of sale.

9thly. (a.) Government unoccupied lands, which may hereafter be applied for on the terms of the aforesaid settlement, will be granted subject to the following concessions as regards the Government assessment :—

For the first 3 years Free.

For the next 2 years Half assessment.

From and after the sixth year . . . Full assessment.

- (b.) The grant will ordinarily be made only to the purchaser at a public sale subject to an upset price which shall include survey expenses and the value of the timber of the reserved trees specified in Clauses 5 and 6 above, except sandal. In special cases, however, the sale may be subject to reservation of the Government right to the aforesaid trees, and where such reservation is made by the Government, the rules in the said Clauses 5 and 6 shall apply to the use and disposal of such trees.

10thly. For land to which the aforesaid settlement has been extended and for which the Government assessment has been fixed in perpetuity, a title-deed in the appended Form **A** will be granted. For land to which the aforesaid settlement has been extended and for which the Government assessment has been fixed for 30 years, a title-deed in the appended Form **B** will be granted when the holding exceeds 20 acres in extent ; when such holding does not exceed 20 acres in extent, the receipt form prescribed by the Revenue Survey and Settlement Rules will be granted, but the tenure shall be the same as if a title-deed in Form **B** had been granted.

For grass land held in a clearly defined separate block, a title-deed in the appended Form C will be granted when the holding exceeds 100 acres in extent; when such holding does not exceed 100 acres in extent, the receipt form prescribed by the Revenue Survey and Settlement Rules will be granted, but the tenure will be the same as if a title-deed in Form C had been granted.

And *11thly*. All persons entitled to title-deeds under this Notification are hereby required to apply to the Superintendent of Revenue Survey and Settlement in Mysore through the Deputy Commissioner of the District concerned.

FORM A.

COFFEE TITLE-DEED.

Whereas A. B., holder of the land specified in the schedule hereunder written has made application that his tenure of the said land may be declared to be permanent and has paid the actual cost of the durable demarcation of the said land and has agreed to pay on account of the said land a permanent land revenue assessment at the rate of a rupee and a half per acre per year, I, C. D., Superintendent of the Revenue Survey and Settlement in Mysore, acting under the authority of the Government of His Highness the Maharaja of Mysore, do hereby grant and confirm the said land to the said A. B., his heirs, personal representatives and assigns in permanent property subject to the provisos hereinafter mentioned and subject also to the regular yearly payment of the sum of Rs. as the permanent land revenue assessment of the said land.

1. Provided that the said assessment shall be paid for each revenue year to the proper receiving officer on or before the 31st March in that year, failing which it will be recoverable by the ordinary process for recovering arrears of land revenue in Mysore.

2. Provided also that the said A. B. or other lawful owner of the said land shall, at all times hereafter at his own expense, repair and maintain in good order the boundary marks erected round and in the said land, failing which it shall be lawful for His Highness the Maharaja's Government after due notice to cause the repair of the said boundary marks to be carried out and to recover the cost of such repair as a revenue demand from the said A. B. or other lawful owner.

3. Provided also that this title-deed, in no way affects the liability of the above said land to such rates or taxes, other than land revenue, as are, or as may be, imposed by law, whether for general, municipal or other local purposes; nor does it in any way affect any rights or interest which other parties may have in the said land.

4. Provided also that nothing in this title-deed contained shall affect the existing or customary rights of Government or of proprietors of lands adjoining or lying near the said land in all existing roads and paths and in streams of water running through or bounding the said land.

5. Provided also that this title-deed shall in no way be considered to grant to or in any way vest in the said A. B., his heirs, personal representatives or assigns any right, title or interest in or to precious stones, gold and other minerals or coal or stone or rock containing or supposed to contain precious stones, gold or other minerals or coal known to exist or which may at any time hereafter be discovered on or under the said land or any part thereof—all of which are hereby respectively reserved to the Government of His Highness the Maharaja of Mysore subject to the following conditions, namely—

(a.) That the said Government shall always on application concede to the said A. B., his heirs, personal representatives or assigns, in preference to all other applicants and upon the terms contained in the Rules published with the Notification issued by the

Dewan of Mysore under date Bangalore, the 26th of July 1881, the right to work for and obtain precious stones, gold or other minerals or coal on or under the said land subject to the payment to the said Government of such royalty as the said Government may fix, not exceeding five per cent on the gross proceeds of such gold or other minerals or coal, and not exceeding ten per cent on the saleable value of such precious stones as may be obtained or found on or under the said land.

(b.) That the said Government shall not, by itself or its servants, agents or persons by it duly authorized, search for or work any mines upon the said land without giving to the said A. B., his heirs, personal representatives or assigns time within which to apply for the preferential right of working above provided, by serving upon them previous notice of not less than 6 months of its intention so to search for or work the said mines.

(c.) That if the said A. B., his heirs, personal representatives or assigns do not as above provided apply for the preferential right to search for, or work any mine on the said land, and if the said Government decides to search for or work any mine upon the said land either by itself or its servants, agents or persons by it duly authorized, then the said Government shall have full and free liberty and right of ingress, egress and regress by nearest way at all times for itself and its servants, agents and workmen and for all persons by it duly authorized in and upon the said land and premises and either with or without horses and other cattle, carts and wagons and other carriages and to erect on the said land and premises and to use any engines or machinery for the purpose of searching for, working, getting and carrying away the said precious stones, gold and other minerals and coal and with full liberty for the said Government to sink, drive, make and use upon the said land, mines, pits, shafts, drifts, adits, air courses and water courses and to use all water which may be lifted or raised from the same, and also to appropriate and use any part of the surface of the said land and premises for depositing, placing and heaping thereon the minerals, waste, rubbish and other substances which may be got from the said mines, and generally to do all other acts and things necessary or proper for working and getting the said precious stones, gold and other minerals and coal and rendering the same merchantable, the said Government paying or rendering compensation to the said A. B., his heirs, personal representatives and assigns for all damage which the said A. B., his heirs, personal representatives or assigns shall sustain by reason of the exercise by the said Government of such right of way as is hereinbefore reserved, or by the erection and use of any such engines, machinery or works as are hereinbefore mentioned, or the exercise of all or any of the rights hereinbefore reserved to the said Government, provided always that nothing hereinbefore contained shall authorize the said Government to sink any mine, pit or shaft or to exercise any of the rights hereinbefore reserved to it upon any part of the said land and premises which shall be occupied by any messuage or dwelling house or its curtilage or by any enclosed garden or orchard, and provided further that if the said Government and the said A. B., his heirs, personal representatives or assigns do not agree as to the amount of compensation to be paid to the said A. B., his heirs, personal representatives or assigns, the amount of such compensation shall be settled in accordance with the procedure, prescribed by the Land Acquisition Act, 1870, for determining the amount of compensation.

And (d.) That no royalty shall be leviable on lime-stone, granite and ordinary minerals, other than metals or coal or precious stones, which may be found on or under the said land and which may be applied to the *bond fide* private use of the said A. B., his heirs, personal representatives or assigns, and not removed for purposes of sale.

6. Provided also that this title-deed shall not be considered in any way to grant to or vest in the said A. B., his heirs, personal representatives or assigns the right to trees of the seven descriptions of timber specified in the margin which are hereby reserved to the Government of His Highness the Maharaja of Mysore subject however to the following conditions, namely:—

- | | |
|--------------|----------------|
| 1. Honne. | 5. Teak. |
| 2. Lac tree. | 6. Blackwood. |
| 3. Nandi. | 7. Sandalwood. |
| 4. Poon. | |

- (a). That the said A. B., his heirs, personal representatives or assigns shall at all times be allowed to use free of charge for their own *bonâ fide* use any reserved tree other than sandal, growing or to grow on the above said land.
- (b). That the said A. B., his heirs, personal representatives or assigns shall be permitted at any time to purchase the Government right to the aforesaid reserved trees, except sandal, upon a fair valuation of their value at the time of such purchase.
- (c). If the Government right to the aforesaid reserved trees, except sandal, is not purchased by the said A. B., his heirs, personal representatives or assigns as above provided for, a seigniorage at such rates as the Government may from time to time fix shall be leviable upon all the aforesaid reserved trees which may be felled otherwise than for the *bonâ fide* private use of the said A. B., his heirs, personal representatives or assigns, the felling and disposal of sandal being always reserved to the Government.

Specification of the Land.

District.	Tahuk.	Village.	Name, if any.	Boundaries.	Survey No.	Extent.	Assessment.

Dated this the

day of

188

By order of the Government of His Highness the Maharaja of Mysore.

Superintendent of the Revenue Survey and Settlement.

FORM B.

COFFEE TITLE-DEED.

Whereas A. B., holder of the land specified in schedule hereunder written, has made application that the rules for the Survey and Settlement of lands held under Government may be applied to the said land, and that the assessment upon the said land may be fixed for a period of 30 years from and whereas the said A. B. has paid the actual cost of the durable demarcation of the said land, and has agreed to pay on account of the said land during the said period of 30 years an annual land revenue assessment of Rs.

I, C. D., Superintendent of the Revenue Survey and Settlement in Mysore, acting under the authority of the Government of His Highness the Maharaja of Mysore, do hereby grant and confirm the said land to the said A. B., his heirs, personal representatives and assigns, under the terms of the Survey Guarantee and subject to the provisos hereinafter mentioned, and subject also to the regular yearly payment of the sum of Rs. as the land revenue assessment of the land, until the same is revised in accordance with the law for the time being in force.

(1). Provided that this assessment shall be paid for each revenue year to the proper receiving officer on or before the 31st March in that year, failing which it will be recoverable by the ordinary process for recovering arrears of land revenue in Mysore.

(2). Provided also that the said A. B., or other lawful owner of the said land shall, at all times hereafter at his own expense, repair and maintain in good order the boundary marks erected round and in the said land, failing which it shall be lawful for His Highness the Maharaja's Government after due notice to cause the repair of the said boundary marks to be carried out and to recover the cost of such repair as a revenue demand from the said A. B., or other lawful owner.

(3). Provided also that this title-deed in no way affects the liability of the above said land to such rates or taxes other than land revenue as are or as may be imposed by law, whether for general, municipal or other local purposes; nor does it in any way affect any rights or interest which other parties may have in the said land.

(4). Provided also that nothing in this title-deed contained shall affect the existing or customary rights of Government or of proprietors of lands adjoining or lying near the said land in all existing roads and paths and in streams of water running through or bounding the said land.

(5). Provided also that this title-deed shall in no way be considered to grant to or in any way vest in the said A. B., his heirs, personal representatives or assigns any right, title or interest in or to precious stones, gold and other minerals or coal or stone or rock containing or supposed to contain precious stones, gold or other minerals or coal known to exist or which may at any time hereafter be discovered on or under the said land or any part thereof—all of which are hereby respectively reserved to the Government of His Highness the Maharaja of Mysore subject to the following conditions, namely.—

(a.) That if the said Government decides to work any mine upon the land, either by itself or its servants, agents or other persons by it duly authorized, then the said Government shall have full and free liberty and right of ingress, egress and regress by nearest way at all times for itself and its servants, agents and workmen and for all persons by it duly authorized, in and upon the said land and premises, and either with or without horses and other cattle, carts and wagons and other carriages and to erect on the said land and premises and to use any engines or machinery for the purpose of searching for, working, getting and carrying away the said precious stones, gold and other minerals and coal and with full liberty for the said Government to sink, drive, make and use upon the said land, mines, pits, shafts, drifts, adits, air courses and water courses and to use all water which may be lifted or raised from the same, and also to appropriate and use any part of the surface of the said land and premises for depositing, placing and heaping thereon the minerals, waste, rubbish and other substances which may be got from the said mines, and generally to do all other acts and things necessary or proper for working and getting the said precious stones, gold and other minerals and coal and rendering the same merchantable, the said Government paying or rendering compensation to the said A. B., his heirs, personal representatives or assigns for all damage which the said A. B., his heirs, personal representatives or assigns shall sustain by reason of the exercise by the said Government of such right of way as is hereinbefore reserved, or by the erection and use of any such engines, machinery or works as are hereinbefore mentioned, or the exercise of all or any of the rights hereinbefore reserved to the said Government, provided always that nothing hereinbefore contained shall authorize the said Government to sink any mine, pit or shaft or to exercise any of the rights hereinbefore reserved to it upon any part of the said land and premises which shall be occupied by any messuage or dwelling house or its curtilage or by any enclosed garden or orchard, and provided further that if the said Government and the said A. B., his heirs, personal representatives or assigns do not agree as to the amount of compensation to be paid to the said A. B., his heirs, personal representatives or assigns, the amount of such compensation shall be settled in accordance with the procedure, prescribed by the Land Acquisition Act, 1870, for determining the amount of compensation.

And (b.) That the said A. B., his heirs, personal representatives or assigns shall always be allowed to use free of charge any limestone, granite and ordinary minerals other than metals or coal or precious stones, which may be found on or under the said land and which may be applied to the *bonâ fide* private use of the said A. B., his heirs, personal representatives or assigns and not removed for purposes of sale.

(6). And provided also that this title-deed shall not be considered in any way to grant to or vest in the said A. B., his heirs, personal representatives or assigns the right to trees of the seven descriptions of timber specified in the margin which are hereby reserved to the Government of His Highness the Maharaja of Mysore, subject however to the following conditions :—

1. Honne.
2. Lac tree.
3. Nandi.
4. Poon.
5. Teak.
6. Blackwood.
7. Sandalwood.

- (a.) That the said A. B., his heirs, personal representatives or assigns shall at all times be allowed to use free of charge for their own *bonâ fide* use any reserved tree other than sandal, growing or to grow on the above said land.
- (b.) That the said A. B., his heirs, personal representatives or assigns shall be permitted at any time to purchase the Government right to the aforesaid reserved trees, except sandal, upon a fair valuation of their value at the time of such purchase.
- (c.) If the Government right to the aforesaid reserved trees, except sandal, is not purchased by the said A. B., his heirs, personal representatives or assigns as above provided for, a seigniorage at such rates as the Government may from time to time fix shall be leviable upon all the aforesaid reserved trees which may be felled otherwise than for the *bonâ fide* private use of the said A. B., his heirs, personal representatives or assigns, the felling and disposal of sandal being always reserved to Government.

Specification of the Land.

[illegible]

Dated this the day of 188

By order of the Government of His Highness the Maharaja of Mysore.

Superintendent of the Revenue Survey and Settlement.

FORM C.

(GRANT OF LAND ON GRASS ASSESSMENT.)

I, C. D., Superintendent of the Revenue Survey and Settlement in Mysore, acting under the authority of the Government of His Highness the Maharaja of Mysore, do hereby grant to A. B., his heirs, personal representatives and assigns the land specified in the schedule hereto annexed for purposes of pasture and growth of firewood for a period of 30 years from _____ and subject to the provisos hereinafter mentioned and to the regular yearly payment of Rs. _____ as the land revenue assessment of the said land until the same is revised as hereinafter provided or in accordance with the law for the time being in force.

(1). Provided that this assessment shall be paid for each revenue year to the proper receiving officer on or before the 31st March in that year, failing which it will be recoverable by the ordinary process for recovering arrears of land revenue in Mysore.

(2). Provided also that the said A. B. or other lawful owner of the said land shall at all times hereafter at his own expense, repair and maintain in good order the boundary marks erected round and in the said land, failing which it shall be lawful for His Highness the Maharaja's Government after due notice to cause the repair of the said boundary marks to be carried out and to recover the cost of such repair as a revenue demand from the said A. B. or other lawful owner.

(3). Provided also that this title-deed in no way affects the liability of the above said land to such rates or taxes other than land revenue as are or as may be imposed by law, whether for general, municipal or other local purposes, nor does it in any way affect any rights or interest, which other parties may have in the said land.

(4). Provided also that nothing in this title-deed contained shall affect the existing or customary rights of Government or of proprietors of lands adjoining or lying near the said land in all existing roads and paths and in streams of water running through or bounding the said land.

(5). Provided also that this title-deed shall in no way be considered to grant to or in any way vest in the said A. B., his heirs, personal representatives or assigns any right, title or interest in or to precious stones, gold and other minerals or coal or stone or rock containing or supposed to contain precious stones, gold or other minerals or coal known to exist or which may at any time hereafter be discovered on or under the said land or any part thereof—all of which are hereby respectively reserved to the Government of His Highness the Maharaja of Mysore together with full and free liberty and right of ingress, egress and regress by nearest way at all times for the said Government and its servants, agents and workmen and for all persons by it duly authorized in and upon the said land and premises and either with or without horses and other cattle, carts and wagons and other carriages and to erect on the said land and premises and to use any engines or machinery for the purpose of searching for, working, getting and carrying away the said precious stones, gold and other minerals and coal and with full liberty for the said Government to sink, drive, make and use upon the said land, mines, pits, shafts, drifts, adits, air courses and water courses and to use all water which may be lifted or raised from the same, and also to appropriate and use any part of the surface of the said land and premises for depositing, placing and heaping thereon the minerals, waste, rubbish and other substances which may be got from the said mines, and generally to do all other acts and things necessary or proper for working and getting the said precious stones, gold and other minerals and coal and rendering the same merchantable. But notwithstanding anything hereinbefore contained, the said A. B., his heirs, personal representatives or assigns shall always be allowed to use free of charge any lime-stone, granite and ordinary minerals other than metals or coal or precious stones which may be found on or under the said land and which may be applied to the *bona fide* private use of the said A. B., his heirs, personal representatives or assigns and not removed for purposes of sale.

(6). Provided further that this title-deed shall not be considered in any way to grant to or vest in the said A. B., his heirs, personal representatives or assigns the right to trees of the nine descriptions of timber specified in the margin which are hereby reserved to the Government of His Highness the Maharaja of Mysore.

1. Honne.
2. Lac tree.
3. Nandi.
4. Poen.
5. Teak.

6. Blackwood.
7. Sandalwood.
8. Wild jack.
9. Karachi.

